

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on March 16, 2007 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Diane Rice, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Douglas Cordier (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. George Everett (R)
Rep. Julie French (D)
Rep. Rick Jore (C)
Rep. Krayton Kerns (R)
Rep. Roger Koopman (R)
Rep. Deborah Kottel (D)
Rep. Tom McGillvray (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Holly Raser (D)
Rep. John Ward (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 385, SB 322, SB 142, SB 143, SB
146, SB 163, 3/9/2007
Executive Action: None

HEARING ON SB 385

Opening Statement by Sponsor:

00:01:50 Sen. John Cobb (R), SD 9, opened the hearing on SB 385, Criminalizing involuntary servitude and trafficking in persons.

[**EXHIBIT\(juh56a01\)**](#)

Proponents' Testimony:

00:05:32 Cynthia Wolken, Attorney, Montana Legal Services Association

[**EXHIBIT\(juh56a02\)**](#)

00:08:38 Jennifer Hill-Hart, Montana Coalition Against Domestic and Sexual Violence

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:39 Rep. French

00:10:06 Ms. Wolken

00:11:47 Rep. Cordier

00:13:53 Rep. Peterson

00:14:41 Ms. Wolken

00:18:03 Rep. Koopman

00:19:47 Sen. Cobb

Closing by Sponsor:

00:22:23 Sen. Cobb

HEARING ON SB 322

Opening Statement by Sponsor:

00:23:16 Sen. John Brueggeman (R), SD 6, opened the hearing on SB 322, Revise hit-and-run laws.

Proponents' Testimony:

00:24:23 Joan Sherman, mother of hit and run victim

[**EXHIBIT\(juh56a03\)**](#)

00:26:03 Leeann Larson, cousin of hit and run victim

00:29:40 Rep. Rick Jore

00:29:58 John Connor, Chief Criminal Prosecutor, Assistant
Attorney General, Department of Justice, State of
Montana

00:32:08 June Hermanson, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:33:29 Rep. O'Hara

00:33:51 Mr. Connor

00:34:43 Rep. Kottel

00:35:27 Mr. Connor

00:35:33 Rep. Peterson

Closing by Sponsor:

00:36:54 Sen. Brueggeman

HEARING ON SB 142

Opening Statement by Sponsor:

00:38:01 Sen. Greg Lind (D), SD 50, opened the hearing on SB
142, Revise public health emergency authority.

Proponents' Testimony:

00:43:26 Jane Smilie, Administrator, Public Health and Safety
Division, Department of Public Health and Human
Services, State of Montana

EXHIBIT(juh56a04)

00:48:51 Dan McGowan, Administrator, Montana Disaster and
Emergency Services

00:53:39 Leeann Vreeland, Emergency Preparedness Coordinator,
Missoula County Health Department

00:59:34 Lora Wier, Public Health Nurse, Teton County, Montana
Public Health Association

01:03:16 Melanie Reynolds, Health Officer, Lewis and Clark
County, also the Health Officers of the 7 Large Cities
in Montana

01:06:47 Paul Spengler, Lewis and Clark County Disaster and
Emergency Services Coordinator

EXHIBIT(juh56a05)

01:07:52 Barbara Schneeman, Yellowstone City-County Health
Department
01:10:15 Charles Brooks, City of Billings, Board of County
Commissioners, Yellowstone Chamber of Commerce
01:10:53 Pat Melby, Montana Medical Association
01:12:15 John Flink, Montana Hospital Association
01:12:54 Don Judge, Montana Nurses Association
[EXHIBIT\(juh56a06\)](#)

Opponents' Testimony:

01:13:37 John Pisk, Montana Disaster and Emergency Services
Coordinators Association
[EXHIBIT\(juh56a07\)](#)

EXHIBIT(juh56a08)

01:18:50 Steve Stanley, Lake County, District 1, Disaster and
Emergency Services Coordinator
01:21:28 William "Butch" Renders, Richland County, Disaster and
Emergency Services Coordinator
01:23:25 Curtis Petrik, Daniels/Sheridan County Disaster
Services Coordinator, Chairman, Disaster and
Emergency Services Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:24:20 Rep. French
01:24:48 Mr. Petrik
01:28:06 Ms. Smilie
01:33:43 Rep. Peterson
01:33:52 Ms. Smilie
01:42:27 Rep. Cordier
01:42:54 Ms. Smilie
01:47:36 Sen. Lind
01:49:06 Mr. McGowan
01:52:27 Rep. Raser
01:53:09 Mr. McGowan

Closing by Sponsor:

01:54:02 Sen. Lind

HEARING ON SB 163

Opening Statement by Sponsor:

01:58:35 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 163, Clarify nolo contendere plea acceptance as discretionary.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:02:59 Sen. Shockley

HEARING ON SB 146

Opening Statement by Sponsor:

02:03:26 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 146, Revise juvenile delinquency intervention act.

Proponents' Testimony:

02:09:43 Lois Menzies, Court Administrator, Montana Supreme Court

[EXHIBIT\(juh56a09\)](#)

[EXHIBIT\(juh56a10\)](#)

02:13:14 Mike Ferriter, Director, Montana Department of Corrections, State of Montana

02:16:35 Sheryl Woods, Associate Director, Montana Association of Counties

02:17:50 Jani McCall, Montana Childrens Initiative Providers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:19:31 Rep. Peterson

02:19:53 Ms. Menzies

02:20:39 Rep. Rice

Closing by Sponsor:

02:21:06 Sen. Shockley

HEARING ON SB 143

Opening Statement by Sponsor:

02:21:16 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 143, Revise boating under the influence laws.

Proponents' Testimony:

02:26:07 Jim Kropp, Chief of Law Enforcement, Department of Fish, Wildlife and Parks, State of Montana

EXHIBIT(juh56a11)

02:28:43 Dean Culwell, Montana Boating Advisory Council, Volunteer, Montana Coast Guard Auxiliary

02:30:48 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association

02:31:25 Bob Gilbert, Walleyes Unlimited

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:34:53 Rep. Stoker

02:35:53 Randy Arnold, Game Warden, Sergeant, Department of Fish Wildlife and Parks, State of Montana

02:36:13 Rep. Kottel

02:37:45 Mr. Kropp

02:39:44 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks, State of Montana

02:43:11 Mr. Arnold

02:45:20 Rep. Gallik

02:46:14 Mr. Arnold

02:47:29 Rep. Driscoll

02:47:37 Mr. Arnold

Closing by Sponsor:

02:48:11 Sen. Shockley

ADJOURNMENT

Adjournment: 10:49 A.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT ([juh56aad.pdf](#))